

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

V.

BENJAMIN LEO

§
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§
§
§

CASE NO. 1:13-CR-55-7

**ORDER ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA**

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Hawthorn conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge. The magistrate judge recommended that the court accept the Defendant's guilty plea. He further recommended that the court adjudge the Defendant guilty on Count Two of the Second Superseding Indictment filed against the Defendant.

The parties have not objected to the magistrate judge's findings. The court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge are **ADOPTED**. The court accepts the Defendant's plea but defers acceptance of the plea agreement until after review of the presentence report.

It is further **ORDERED** that, in accordance with the Defendant's guilty plea and the

magistrate judge's findings and recommendation, the Defendant, Benjamin Leo, is adjudged guilty as to Count Two of the Second Superseding Indictment charging violation of Title 21, United States Code, Section 846.

SIGNED this the **9** day of **August, 2016**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge